

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF PUERTO RICO

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In re: : PROMESA
: Title III
THE FINANCIAL OVERSIGHT AND :
MANAGEMENT BOARD FOR PUERTO RICO, : Case No. 17-BK-3283 (LTS)
as representative of : (Jointly Administered)
THE COMMONWEALTH OF PUERTO RICO et al., :
Debtors.¹ :

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In re: : PROMESA
: Title III
THE FINANCIAL OVERSIGHT AND :
MANAGEMENT BOARD FOR PUERTO RICO, : Case No. 17-BK-3566 (LTS)
as representative of : (Jointly Administered)
THE EMPLOYEES RETIREMENT SYSTEM OF THE :
GOVERNMENT OF THE COMMONWEALTH OF PUERTO :
RICO, :
Debtors. :

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¹ The Debtors in these Title III cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474), and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

ORDER SETTING BRIEFING SCHEDULE ON MOTION TO COMPEL

This Court has received the *Motion to Compel Production of Documents Withheld as Privileged Based on Respondents' May 9, 2019, Submissions* (Dkt. No. 510 in 17-BK-3566; Dkt No. 6984 in 17-BK-3283) ("Motion to Compel"). Therein, the Bondholders² move to compel documents the Court addressed by order on May 6, 2019 (Dkt. No. 493³) and on May 15, 2019 (Dkt. No. 509). In the May 6, 2019 order, the Court made several rulings and required the submission of additional information to the Court. On several issues, the Court advised the parties that once the Court received supplemental submissions from the Government Parties⁴, the Bondholders were to notify the Court as to whether their objections to the Government Parties' privilege assertions still stood. (See Dkt. No. 493). The Government Parties made several submissions in accordance with this Court's order on May 9, 2019. On May 13, 2019, the Bondholders and the Financial Oversight and Management Board for Puerto Rico ("Oversight Board") submitted a status report, as ordered by the Court in its May 6 order, on specific outstanding discovery issues. In that status report, the Bondholders and the Oversight Board informed the Court that "[t]he Parties appreciate the Court's attention to these matters, and will apprise the Court if it appears they need further assistance to resolve any outstanding matters discussed at the May 2 hearing." (Dkt. No. 507 ¶ 5). The Bondholders did not indicate in the status report, or elsewhere, that they continued to object to outstanding issues from the May 6, 2019 order after receipt of the Government Parties' supplemental submissions. In

² As used in the Motion to Compel.

³ Unless otherwise indicated, docket numbers refer to case 17-BK-3566.

⁴ As defined in this Court's May 15, 2019 order.

reliance thereon, the Court issued an order on May 15, 2019 making further rulings and resolving the outstanding issues from the May 6, 2019 order. (Dkt. No. 509).

Nevertheless, in their recently filed Motion to Compel, the Bondholders contend that they still object to privilege claims made in this proceeding, and have raised concerns addressed specifically to the May 9 filings. Accordingly, the Court sets the following briefing schedule on the new Motion to Compel:

1. Any response shall be filed by **May 22, 2019**;
2. Any reply shall be filed by **May 28, 2019**;
3. The Court will thereafter take the Motion to Compel on submission.

SO ORDERED.

/s / Judith Gail Dein
Judith Gail Dein
United States Magistrate Judge

DATED: May 16, 2019